

Remarks:

The Applicant would like to thank the Examiner for carefully reviewing the specification and claims and argument presented in a previous response to Office Action. The Applicant particularly appreciates that the prior argument and amendment has indicated to the Examiner that the claims recite considerable allowable subject matter. Please reconsider the application in view of the foregoing amendments and the following remarks.

1. Status of the Claims

Claims 1-43 are pending in the application. Claims 12-22 and 33-43 are allowed. Claims 2-11 and 24-32 recite what the Examiner has found to be allowable subject matter and would be allowed if rewritten in independent form including the limitations of the rejected base claims and any intervening claims.

2. Claim rejections - 35 U.S.C. § 102(b)

Claims 1 and 23 stand rejected as anticipated by Mystkowski et al. (Int. Journal of Obesity). Claim 1 stands rejected as anticipated by Kamba et al. (Am. J. Clin. Nutr.). The Applicant has amended claims 1 and 23 to recite what the Examiner has asserted is allowable subject matter.

Claim 1 has been amended to include the subject matter of claim 5, which the Examiner has found to recite allowable subject matter. Claim 5 has been canceled.

Claim 23 has been amended to include the subject matter of claim 24, which the Examiner has found to recite allowable subject matter. Claim 24 has been canceled. Claim 25, which depended from claim 24, has been amended to depend from claim 23. The remainder of claims 26-32 ultimately depend from claim 23 and need no further amendment.

This Reply is believed to place the present application in condition for allowance, and such is respectfully requested of the Examiner.

Respectfully submitted,

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